

## REMARKS

Claims 1-3 and 5-20 are pending in the present application.

Claims 1-3, 5-12 and 16 are amended herein.

### Rejections under 35 U.S.C. 112

Claims 1-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

Claim 4 was previously canceled and all rejections directed thereto are moot.

Claims 1 and 7 have been amended to specifically recite that the polyamide composition of the polyamide molding materials comprises 85-92 wt% semi-crystalline semi-aromatic (co)polyamide and 8-15 wt% amorphous (co)polyamides. This is clearly supported in paragraph [0026] of the specification and therefore no new matter is entered.

The rejection of claims 1-3 and 5-20 under 35 U.S.C. 112, first paragraph, is rendered moot by amendment of claims 1 and 7.

Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 4 was previously canceled and all rejections directed thereto are moot.

Rejections under 35 U.S.C. 103

Claims 1-6 and 8-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP-090178 in view of Visioli (US 5,897,901), Lahary et al. (US 5,440,006) and EP 1 018 534.

Claims 2, 3, 5, 6 and 8-12 now ultimately depend from claim 7 and all rejections directed thereto are moot.

JP-090178 has been cited as teaching a crystalline aromatic polyamide obtained from 30-100 mol% terephthalic acid, 0-40 mol% aromatic dicarboxylic acid, except terephthalic acid, and 0-70 mol% aliphatic alkylene diamine. The Office then concludes that this would lead one of skill in the art to the very specific combination of elements set forth in claim 1 and, by dependence thereto, claims 2-6 and 8-16. Applicants respectfully disagree.

The Office has, based on hindsight, reconfigured the composition of JP-090178 to the claimed invention. JP-090178 would not lead one of skill in the art to the combination as claimed. For example, JP-090178 teaches the diamine in the crystalline phase. The Office then concludes, based on hindsight, that it would be obvious to also include it in the amorphous phase without any suggestion of the motivation for such a combination. Applicants suggest that such hindsight combination is improper and that the rejection should therefore be withdrawn.

The secondary references fail to provide any motivation for including the diamine in the amorphous layer particularly at the high levels recited in claim 1. Absent some motivational teaching a hindsight composition is an improper basis for a rejection.

Applicants respectfully request that the rejection of claims 1-3, 5, 6 and 8-16 be withdrawn as being either moot or improperly based on hindsight relying only on the instant application.

### Allowable Claims

Claim 7 was previously considered to be in condition for allowance except for a rejection under 35 U.S.C. 112. The rejection has been rendered moot by amendment thereby placing claim 7 into condition for allowance.

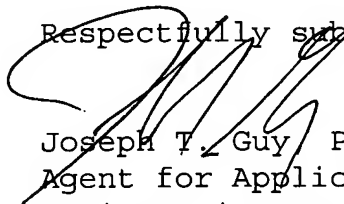
Claims 2, 3, 5, 6, 8-12 and 17-20 ultimately depend from claim 7 and are patentable for, at least, the same reasons as claim 7.

### **CONCLUSIONS**

Claims 1-3 and 5-20 are pending in the present application. All claims are patentable for the reasons set forth herein.

Alternatively, the present amendments reduce the issues for appeal.

Respectfully submitted,



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